



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:

Nason et al.

: Docket No.: INT-5003

Serial No.: 10/695,047

: Group Art Unit: 2873

Filed: October 28, 2003

For: Method for Designing
Spectacle Lenses Taking Into Account
An Individual's Head And Eye Movement

: Examiner: S. Sugarman

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

This communication is in response to the Office Action dated December 17, 2004. In that action, the Examiner rejected claims 1 through 14 under 35 U.S.C. § 102(e) as anticipated by United States Patent No. 6,817,713 to Ueno. According to the Examiner, the Ueno reference:

teaches a method for designing a spectacle lens having
the steps of providing a first lens having a first design;
identifying at least one point of regard for the first lens;
obtaining information regarding the lens' performance

CERTIFICATE OF MAILING 37 C.F.R. 1.8(a)

I hereby certify that this paper (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Date: June 10, 2005

Signature: /Lois A. Ganneschi/

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using the at least one point of regard; and modifying the first design using the information obtained in step [sic] to provide a second lens having a second design.

Applicants respectfully disagree.

The Ueno reference addresses the problem of having “curved surface shapes of the left and right spectacle lenses [looking] very unbalanced” and discomfort experienced by an individual when changing prescriptions. See, column 1, lines 54-58, column 2, lines 21 through 52. These problems are solved by Ueno by providing a lens order system in which a prescription is received by the lens manufacturer’s computer and the computer modifies the lens design based on comparison of the new prescription with the old prescription, if any, as well as computer modeling of optical performance.

In applicants’ claimed method, a first lens design is provided, at least one point of regard for the first lens is identified, information regarding the lens’ performance using the at least one point of regard is obtained, the first design is then modified using the information to provide a second lens having a second design. The lens supply and manufacture method of Ueno does not provide any on-eye measurement of lens performance. Thus, Ueno fails to teach or disclose the steps of identifying at least one point of regard and obtaining information regarding lens performance using the point of regard. Because the Ueno reference fails to teach or disclose these steps of applicants’ claimed method, the reference cannot be found to anticipate the claimed invention and withdrawal of the Section 102(e) rejection is respectfully requested.

Applicants submit that the claims are in condition for allowance. Allowance of the claims is respectfully requested.

Date: June 10, 2005
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Respectfully submitted,
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